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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE TFT-LCD (FLAT PANEL) ANTITRUST
 LITIGATION

CASE NO. 3:07-MD-1827 SI

MDL No. 1827

THIS DOCUMENT RELATES TO:

All Indirect Purchaser Actions

**DEFENDANT LG DISPLAY'S EX
 PARTE APPLICATION FOR ORDER
 DIRECTING WHETHER TO FILE
 DOCUMENTS UNDER SEAL OR IN
 THE PUBLIC RECORD**

Courtroom: 10
 Judge: Honorable Susan Illston

Application

Under Civil Local Rules 79-5 and 7-10 and this Court's Standing Order, Defendants LG Display Co., Ltd., and LG Display America, Inc. ("LG Display"), by and through their counsel, respectfully request an Order directing whether the following should be filed under seal or in the public record:

(1) portions of Defendant LG Display's Motion *in Limine* No. 1;

(2) certain exhibits attached to the Declaration of Stuart N. Senator in Support of LG Display's Motion *in Limine* No. 1 ("Senator Declaration").

The court's September 2010 Pretrial Instructions state "NO LEAVE TO FILE UNDERSEAL WILL BE GRANTED WITH RESPECT TO MOTIONS IN-LIMINE" that no leave to file under seal will be granted with respect to motions in limine. Pretrial Instructions, Honorable Susan Illston, at 4. At the same time, the protective order in this case states that "without written permission from the Designating Party or a court order secured after appropriate notice to all interested persons, a Party may not file in the public record in this action any Protected Material." Dkt. No 421 at 12 (Stipulated Protective Order). LG Display has been unable to secure written permission from the designating parties to file the relevant materials in the public record. Accordingly, LG Display respectfully submits this application for an order directing whether the above materials should be filed under seal or in the public record.

The basis for filing under seal would be that certain portions of LG Display's Motion *in Limine* No. 1 and the corresponding Senator Declaration refer to information contained in or include excerpts from the deposition transcript of Janet S. Netz and the expert report of Janet S. Netz, which were designated either confidential or highly confidential.

The designated portions of LG Display's Motion *in Limine* No. 1 are marked on an unredacted copy to be lodged with the Clerk in a sealed envelope for the Court's review, pursuant to Civil Local Rule 79-5(c). An unredacted copy of the Senator Declaration and its accompanying exhibits is also to be lodged with the Clerk in a sealed envelope for the Court's review, pursuant to Civil Local Rule 79-5(c).

Respectfully submitted,

DATED: March 13, 2012

By: /s/Stuart N. Senator
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